

**REMARKS**

**Summary Of The Office Action**

Claims 9-11 are pending in the application.

Claims 9 and 10 are rejected under 35 U.S.C. § 103 as being unpatentable over Martens et al (U.S. Patent No. 6,157,677) in view of Hu (U.S. Patent No. 5,748,247).

The Examiner has objected to claim 11 as being dependent upon a rejected base claim and indicated that if rewritten in independent form would be allowable.

**Analysis of the Rejection of Claims 9-10**

The rejection of claims 9-10 is the same as in the previous Office Action. In response to the previous Office Action it was argued that the applied references fail to teach “determining an activity model, which maximizes the probability between activity models and a video frame provided from a given video model dictionary using a transition matrix for the determined state, as the recognized activity”, as required by claim 9. In particular, it was argued that Martens et al does not teach or suggest maximizing, or even enhancing, the probability between activity models and a video frame provided from a given activity model dictionary.

In the present Office Action, the Examiner responds to that argument by citing col. 3, lines 10-19, col. 4, lines 39-45, col. 11, lines 41-48, col. 13, lines 66-67, and col. 14, lines 1-9 of Martens as teaching using a transition matrix from the determined state as the recognized activity

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from an activity model dictionary (5<sup>th</sup> paragraph of page 2 of the Office Action). Applicant respectfully submits that the portions of Martens cited by the Examiner, however, merely teach using a model to enhance motion estimation. There is no teaching or suggestion of determining an activity model which maximizes the probability between activity models and a video frame provided from a given video model dictionary using a transition matrix for the determined state, as the recognized activity. Also, Martens does not teach or suggest determining an activity model as a recognized activity.

Furthermore, even if it were to be conceded, for the sake of argument, that Martens does teach what the Examiner alleges Martens teaches, the combination proposed by the Examiner would still not render the claimed invention obvious. In more detail, the Examiner states that Martens teaches that classification probability can enhance motion estimation and modeling, and that Hu teaches refinement of motion vectors and that an activity (Gibbs/Markov) model has been used to maximize the probability that the derived motion vector field represents the true physical motion (recognized activity) (Office Action, page 2, paragraphs 6-7). But Hu merely teaches using a model to maximize the probability that the derived motion vector field represents the true physical motion. This teaches nothing about determining an activity model as a recognized activity; it merely teaches using one model to maximize the probability of obtaining an accurate motion vector field. Therefore, Applicant respectfully disagrees with the Examiner's statement that Hu teaches "maximizing the probability between activity models and the video frame" (Office Action, page 2, second from last line).

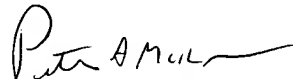
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For at least the above reasons and the reasons presented in the Response to the previous Office Action, Applicant submits that claim 9 and its dependent claim 10 are not rendered obvious by the applied references.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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